

# **ATTACHMENT 1**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Angel Americas, LLC	)	File No. ITC-ASG-20130130-00035
	)	File No. ITC-ASG-20130130-00037
	)	File No. ITC-214-20130429-00125
	)	
	)	
	)	WC DK No. 13-242
	)	
	)	
	)	
	)	

**PETITION TO ADOPT CONDITIONS TO  
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”), including the Federal Bureau of Investigation (“FBI”), with the concurrence of the Department of Homeland Security (“DHS”) (collectively, the “Agencies”), submits this Petition to Adopt Conditions to Authorizations and Licenses (Petition) pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.<sup>1</sup> Through this Petition, the Agencies advise the Commission that they have no objection to the Commission approving the authority sought in the above-referenced proceeding, provided that the Commission conditions its approval on the assurance of Angel Americas LLC (“Angel”), to abide by the commitments and undertakings set forth in the November 2013 Agreement between Angel and the Agencies (“the Agreement”).

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat*

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<sup>1</sup> 47 C.F.R. § 1.41.

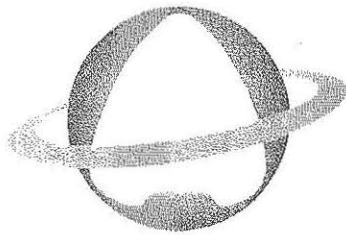
*Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions and communications with representatives of the Applicants in connection with the above-referenced proceeding, the Agencies have concluded that the additional commitments set forth in the Agreement will help ensure that the Agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety, can proceed appropriately to satisfy those responsibilities. Accordingly, the Agencies advise the Commission that they have no objection to the Commission granting the applications in the above-referenced proceeding, provided that the Commission conditions its consent on compliance by Angel with the Agreement.

Respectfully submitted,

/s/ Richard C. Sofield  
Richard C. Sofield  
U.S. Department of Justice  
Director – Foreign Investment Review Staff  
National Security Division  
600 E Street, NW, Suite 10000  
Washington, D.C. 20004

November 18, 2013



AngelAmericas

AngelTelecomGroup

November 15, 2013

Mr. John Carlin  
Acting Assistant Attorney General  
National Security Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
ttelecom@usdoj.gov

Re: Pending applications by Angel Americas LLC, a Delaware company recently formed by Angel Telecom (USA) Inc. and Marcatel Telecommunications, LLC, for the assignment of STi Prepaid LLC's and STi Telecom Inc.'s international and blanket domestic Section 214 authorizations and to provide Global or Limited Global Facilities-Based Services and Global or Limited Global Resale Services.

FCC file numbers: ITC-ASG-20130130-00035, ITC-ASG-20130130-00037, and ITC-214-20130429-00125.

Dear Mr. Carlin,

This letter outlines the commitments being made by Angel Americas LLC (Angel) to the U.S. Department of Justice (DOJ) in order to address national security, law enforcement, and public safety concerns raised with regard to the company's applications to the Federal Communications Commission (FCC) seeking: (a) FCC consent to the assignment of STi Prepaid LLC's and STi Telecom Inc.'s (collectively "STi") international and blanket domestic Section 214 authorizations;<sup>1</sup> and (b) FCC consent to provide global or limited global facilities-based authority under Section 63.18(e)(1) and global or limited global resale authority under Section 63.18(e)(2).

Angel is a Delaware corporation owned by Angel Telecom (USA) Inc. (85%) and Marcatel Telecommunications, LLC (15%). Angel's headquarters are located at 1250 Broadway, 25<sup>th</sup> floor, New York City, NY 10001.

Angel agrees that it will inform DOJ at least 60 days in advance if it provides interconnected VoIP services to residential users, businesses, and enterprises in the U.S. or becomes a facilities-based provider. Upon providing interconnected VoIP services or becoming a facilities-based provider, Angel will comply with all applicable lawful interception statutes, regulations, and requirements, including the Communications Assistance for Law Enforcement Act (CALEA) and its implementing regulations, and will comply with all court orders and other legal process for lawfully authorized electronic surveillance. Angel will certify that it is compliant with CALEA no more than 60 days following its notice to DOJ that it will provide interconnected

<sup>1</sup> STi holds four 214 international authorizations and blanket domestic Section 214 authorizations that are the subject of this assignment of authority: ITC-214-20010220-00085, ITC-214-20010618-00348, ITC-214-20020531-00293 and ITC-214-20050315-00105.



Mr. John Carlin  
November 15, 2013

VoIP services to residential users, businesses, and enterprises in the U.S. or becomes a facilities-based provider. Upon completion of the implementation of lawful interception capabilities, Angel will request that the FBI send its CALEA Implementation Unit to conduct a CALEA-compliance test. Angel understands that its failure to fulfill its obligations under this paragraph could constitute a breach of its commitments to DOJ.

Moreover, if Angel begins to provide interconnected VoIP/VoP in the U.S. or becomes a facilities-based provider, the company agrees to maintain a point of contact (POC) in the U.S., preferably a U.S. citizen, to receive service of process for U.S. records and to assist and support lawful requests for surveillance by U.S. federal, state, and local law enforcement agencies. The name of and contact information for this POC will be provided to DOJ at least 60 days prior to the date that Angel begins to provide these services to residential end users, businesses, and enterprise customers and will be subject to DOJ approval. Angel also agrees to provide DOJ at least 30 days prior notice of any change to this POC.

Upon providing interconnected VoIP services or becoming a facilities-based provider, Angel agrees to provide annual reports to DOJ summarizing the information requested above and informing the DOJ of the occurrence and status of all lawful surveillance request cases for call content and call data, including but not limited to the date on which the request was made of Angel, the date of compliance with that request and/or the status of completion of that request. Angel will also include in this annual report (a) any changes in the services that Angel provides, as described in paragraph 4, above; (b) any relationships with foreign-owned telecommunications partners, including any peer relationships; (c) the installation and/or purchase or lease of any foreign manufactured telecommunication equipment (including, but not limited to, switches, routers, software, hardware); (d) reports of any occurrences of cyber security incidences, network and enterprise breaches, and unauthorized access to customer data and information; (e) the name of and contact information for the current POC; and (f) the status of Angel's compliance with CALEA requirements. These annual reports will be due on January 31 of each calendar year, beginning January 31 of the year following that within which Angel begins providing interconnected VoIP services or becomes a facilities-based provider, and should be addressed to the following:

Assistant Attorney General for National Security  
National Security Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
Attn.: Team Telecom, Foreign Investment Review Staff  
Electronic mail: [ttelecom@usdoj.gov](mailto:ttelecom@usdoj.gov)

Unit Chief, Science and Technology Policy and Law Unit  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Room 7350  
Washington, DC 20535

Mr. John Carlin  
November 15, 2013

Courtesy electronic copies of all notices and communications should also be sent to the following: Caroline Brown of the DOJ (at [caroline.brown@usdoj.gov](mailto:caroline.brown@usdoj.gov)) and Jonathan Frenkel of the FBI (at [jonathan.frenkel@ic.fbi.gov](mailto:jonathan.frenkel@ic.fbi.gov)).

Angel agrees that it will not directly or indirectly disclose or permit disclosure of or access to U.S. records or domestic communications or any information (including call content and call data) pertaining to a wiretap order, pen/trap and trace order, subpoena, or any other lawful request by a U.S. law enforcement agency for U.S. records to any person if the purpose of such disclosure or access is to respond to the legal process or request on behalf of a non-U.S. government without first satisfying all pertinent requirements of U.S. law and obtaining the express written consent of DOJ, or the authorization of a court of competent jurisdiction in the U.S. The term "non-US government" means any government, including an identified representative, agent, component or subdivision thereof, that is not a local, state, or federal government in the U.S. Any such requests for legal process submitted by a non-U.S. government to Angel shall be referred to DOJ as soon as possible, but in no event later than five business days after such request or legal process is received by or made known to Angel unless disclosure of the request or legal process would be in violation of U.S. law or an order of a court of the U.S.

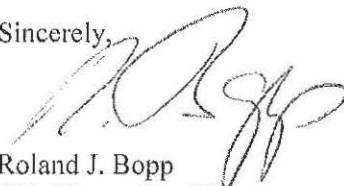
Angel also agrees to ensure that U.S. records are not made subject to mandatory destruction under any foreign laws. The location of the U.S. records' storage facility will be provided to DOJ at least 30 days in advance of the time in which Angel anticipates generating U.S. records.

Angel agrees that in the event the commitments set forth in this letter are breached, in addition to any other remedy available at law or equity, DOJ may request that the FCC modify, condition, revoke, cancel, or render null and void any relevant license, permit, or other authorization granted by the FCC to Angel or any successors-in-interest. Nothing herein shall be construed to be a waiver by Angel of, or limitation on, its right to oppose or comment on any such request.

Nothing in this letter is intended to excuse Angel from its obligations to comply with any and all applicable legal requirements and obligations, including any and all applicable statutes, regulations, requirements, or orders.

Angel understands that, upon execution of this letter by an authorized representative or attorney for Angel, DOJ shall notify the FCC that it has no objection to the FCC's grant of Angel's application.

Sincerely,



Roland J. Bopp  
Chief Executive Officer  
Angel Americas LLC

# **ATTACHMENT 2**



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

DA 14-936

Released: June 27, 2014

## APPLICATIONS GRANTED FOR THE TRANSFER OF CONTROL OF STI PREPAID, LLC AND STI TELECOM INC. TO ANGEL AMERICAS LLC

WC Docket No. 13-242

On January 30, 2013, STi Prepaid, LLC (STi Prepaid), STi Telecom Inc. (STi Telecom, and together with STi Prepaid, STi), and Next Angel LLC (Next Angel) filed applications pursuant to section 214 of the Communications Act of 1934, as amended (Act),<sup>1</sup> to transfer the domestic and international authorizations and assets of STi Prepaid and STi Telecom to Next Angel.<sup>2</sup> On June 30, 2013, the ownership of Next Angel changed, and on July 10, 2013, Next Angel changed its name to Angel Americas LLC (Angel Americas, collectively with STi, Applicants).<sup>3</sup> The Wireline Competition Bureau and International Bureau (together, Bureaus) have determined that grant of these Applications, as conditioned, serves the public interest, and accordingly the Applications are granted with the conditions stated herein.

STi Prepaid and STi Telecom provide resold long distance telecommunications services, including prepaid domestic and international calling cards.<sup>4</sup> Prior to this transaction, Angel Americas did not provide telecommunications services. On September 27, 2013, March 26, 2014, May 1, 2014, and May 14, 2014, the Bureaus granted Angel Americas special temporary authority (STA) to provide service

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<sup>1</sup> 47 U.S.C. § 214.

<sup>2</sup> Application of Next Angel LLC to Transfer Control of the Domestic Section 214 Authorization of STi Prepaid, LLC (filed Jan. 30, 2013) (STi Prepaid Domestic 214 Application); Application of Next Angel LLC to Transfer Control of the Domestic Section 214 Authorization of STi Telecom Inc. (filed Jan. 30, 2013) (STi Telecom Domestic 214 Application); Application for Assignment of the International Section 214 Authority of STi Prepaid, LLC to Next Angel LLC, ITC-ASG-20130130-00035; Application for Assignment of the International Section 214 Authority of STi Telecom Inc. to Next Angel LLC, ITC-ASG-20130130-00037 (collectively, Applications). On October 22, 2013, the Bureaus released a Public Notice requesting comment on the Applications. *Applications Filed for the Transfer of Control of STi Prepaid, LLC and STi Telecom Inc. to Angel Americas LLC*, WC Docket No. 13-242, Public Notice, 28 FCC Rcd 14593 (Wireline Comp. Bur/Int'l. Bur. 2013).

<sup>3</sup> Letter from Thomas M. Lynch, Counsel for Next Angel LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, File Nos. ITC-ASG-20130130-00035, ITC-ASG-20130130-00037 (filed July 9, 2013); Letter from Thomas M. Lynch, Counsel for Angel Americas LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, File Nos. ITC-ASG-20130130-00035, ITC-ASG-20130130-00037 (filed July 10, 2013).

<sup>4</sup> Both companies are debtors-in-possession and filed voluntary petitions for relief under Chapter 11 of the U.S. Bankruptcy Code on September 5, 2012. *Vivaro Corporation, et al.*, Case No. 12-13810 (Ch. 11) (Bankr. S.D.N.Y. 2012).



to STi's customers pending grant of the Applications.<sup>5</sup> The Bureaus conditioned grant of the STA on Angel Americas' compliance with requirements proposed by the Commission's Enforcement Bureau. These requirements, referred to as "Authorization Conditions," consist of a plan designed to ensure Angel Americas' future compliance with Commission rules and requirements regarding the operations and marketing of prepaid calling card services.<sup>6</sup>

Angel Americas has further agreed to abide by the Authorization Conditions as a condition of a grant of the Applications and affirms that the commitments in the Authorization Conditions, attached to this grant, will continue to be binding after the proposed transfer of control.<sup>7</sup> We find that Angel Americas' compliance with the Authorization Conditions will lead to public interest benefits in terms of access to prepaid calling card services for Angel Americas' customers.<sup>8</sup> We therefore accept Angel Americas' commitment and make it a binding and enforceable condition of our approval. Our public interest authority enables us, where appropriate, to impose and enforce narrowly tailored, transaction-specific conditions to ensure that the public interest is served.<sup>9</sup> In addition, a threshold requirement in our

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<sup>5</sup> Letter from Thomas M. Lynch, Counsel for Angel Americas LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, ITC-STA-20130926-00264 (STi Prepaid), ITC-STA-20130926-00265 (STi Telecom) (filed Sept. 26, 2013) (Sept. 26, 2013 STA Letter); Letter from Thomas M. Lynch, Counsel for Angel Americas LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, ITC-STA-20140314-00097 (STi Prepaid), ITC-STA-20140314-00102 (STi Telecom) (filed Mar. 14, 2014) (Mar. 14, 2014 STA Letter); Letter from Thomas M. Lynch, Counsel for Angel Americas LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, ITC-STA-20140430-00137 (STi Telecom), ITC-STA-20140430-00143 (STi Prepaid) (filed Apr. 30, 2014) (Apr. 30, 2014 STA Letter); Letter from Thomas M. Lynch, Counsel for Angel Americas LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, ITC-STA-20140430-00137 (STi Telecom), ITC-STA-20140430-00143 (STi Prepaid) (filed May 13, 2014) (May 13, 2014 STA Letter).

<sup>6</sup> The Authorization Conditions set out certain operating procedures in connection with prepaid calling cards to ensure consumers receive clear information about the rates, terms, and conditions of the cards. Angel Americas stated that it "agrees to abide by the Authorization Conditions proposed by the Enforcement Bureau for an entity providing services to the customers of STA, and set forth in Exhibit A to this letter." Sept. 26, 2013 STA Letter at 2; Mar. 14, 2014 STA Letter at 2; Apr. 30, 2014 STA Letter at 1-2; May 13, 2014 STA Letter at 1-2. Angel Americas further stated that "by granting the STA application, Angel Americas will be able to, and commits to, serve customers of STi still holding unused or unexpired prepaid calling cards and minutes during the period authorized by the STA (and thereafter if the transfer is ultimately approved)." Sept. 26, 2013 STA Letter at 1-2; Mar. 14, 2014 STA Letter at 1-22; Apr. 30, 2014 STA Letter at 1-2; May 13, 2014 STA Letter at 1-2.

<sup>7</sup> Letter from Thomas M. Lynch, Counsel for Angel Americas, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242 (filed Apr. 30, 2014).

<sup>8</sup> The Commission has stated that unfair and deceptive marketing practices by interstate common carriers harm consumers and would constitute unjust and unreasonable practices under section 201(b) of the Act. *See, e.g., NOS Communications, Inc.*, File No. EB-00-TC-005, Notice of Apparent Liability for Forfeiture, 16 FCC Rcd 8133 (2001) (finding that the companies engaged in deceptive marketing of their interstate communication services by failing to disclose clearly and conspicuously material facts regarding their promotional plan offerings and pricing methodology, in violation of section 201(b)); *Business Discount Plan, Inc.*, File No. ENF-98-02, Order of Forfeiture, 15 FCC Rcd 14461 (2000), *recon. granted in part and denied in part*, 15 FCC Rcd 24396 (2000) (finding that the company violated section 201(b) by using unjust and unreasonable telemarketing practices such as misrepresenting the nature of its service offerings); *Telecommunications Research & Action Center & Consumer Action*, File No. E-99-104, *et al.*, Memorandum Opinion and Order, 4 FCC Rcd 2157 (Com.Car.Bur. 1989) (recognizing that section 201(b) provides a cause of action against carriers for failing to convey sufficient information about their rates, practices, and range of services). *See also* Joint FCC/FTC Policy Statement For the Advertising of Dial-Around And Other Long Distance Services To Consumers, File No. 00-EB-TCD-1(PS), 15 FCC Rcd 8654 (2000).

<sup>9</sup> *See, e.g., Application of AT&T Inc. and BellSouth Corporation Application to Transfer Control*, WC Docket No. 06-74, Memorandum Opinion and Order, 22 FCC Rcd 5662, 5674, para. 22 (2007) (*AT&T/BellSouth Order*);

(continued...)

transaction review process is whether the Applicants meet the requisite character qualifications to hold Commission licenses.<sup>10</sup> To meet this requirement, Commission precedent requires that an applicant must operate in a manner consistent with the Act and the Commission's rules.<sup>11</sup> We conclude that Angel Americas' commitment to abide by the Authorization Conditions will further the public interest, and we are satisfied that Angel Americas is qualified to hold an authorization, subject to the Authorization Conditions.

On November 18, 2013, the Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security (collectively, the Executive Branch Agencies), submitted a Petition to Adopt Conditions to Authorizations and Licenses (Petition).<sup>12</sup> In the Petition, the Executive Branch Agencies advise the Commission that they have no objection to the Commission granting its consent in this proceeding, provided the Commission conditions the grant on the assurance by Angel Americas that it will abide by the commitments and undertakings set forth in the November 2013 Agreement between Angel Americas and the Executive Branch Agencies that addresses national security, law enforcement, and public safety concerns (hereinafter referred to as the November 2013 Agreement).<sup>13</sup> The Executive Branch Agencies filed the November 2013 Agreement in WC Docket No. 13-242 on November 18, 2013.<sup>14</sup>

Consistent with Commission precedent, the Bureaus accord the appropriate level of deference to the Executive Branch Agencies' expertise on national security and law enforcement issues.<sup>15</sup> The Bureaus find, upon consideration of the record, that grant of the Applications, subject to compliance with the November 2013 Agreement with the Executive Branch Agencies, will serve the public interest, convenience, and necessity. Upon consummation of the transaction, the resulting entity will have a market share in the U.S. interstate interexchange market of less than 10 percent and will provide

(Continued from previous page) —————

*Applications Granted for the Transfer of Control of the Operating Subsidiaries of Securus Technologies Holdings, Inc. to Securus Investment Holdings, LLC*, WC Docket No. 13-29, Public Notice, 28 FCC Rcd 5720, 5723-24 (Wireline Comp. Bur./Int'l. Bur. 2013) (conditioning section 214 grant on Applicants' compliance with certain public interest conditions).

<sup>10</sup> See *AT&T/BellSouth Order* at 5756, para. 191; *Applications of Guam Cellular and Paging, Inc. and DoCoMo Guam Holdings, Inc.*, WT Docket No. 06-96, Memorandum Opinion and Order and Declaratory Ruling, 21 FCC Rcd 13580, 13590, para. 14 (2006).

<sup>11</sup> See *Policy Regarding Character Qualifications in Broadcast Licensing Proceedings*, Gen. Docket No. 81-500, Docket No. 78-108, 102 F.C.C.2d 1179, 1189, 1209, paras. 21, 55-56 (1986).

<sup>12</sup> Petition to Adopt Conditions to Authorizations and Licenses, WC Docket No. 13-242 and File Nos. ITC-ASG-20130130-000035; ITC-ASG-20130130-00037; ITC-214-20130429-00125 (filed Nov. 18, 2013).

<sup>13</sup> *Id.* at 1-2.

<sup>14</sup> Letter to John Carlin, Acting Assistant Attorney General, National Security Division, U.S. Department of Justice, from Roland J. Bopp, Chief Executive Officer, Angel Americas LLC, WC Docket No. 13-242, File Nos. ITC-ASG-20130130-000035; ITC-ASG-20130130-00037; ITC-214-20130429-00125 (filed Nov. 18, 2013).

<sup>15</sup> The Commission considers national security, law enforcement, foreign policy, and trade policy concerns when analyzing a transfer of control or assignment application in which foreign ownership is an issue. See *Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States*, Report and Order, 12 FCC Rcd 24094, 24170-72, paras. 178-82 (1997); *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket No. 97-142, *Market Entry and Regulation of Foreign Affiliated Entities*, IB Docket No. 95-22, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23919-21, paras. 61-66 (1997) (*Foreign Participation Order*), Order on Reconsideration, 15 FCC Rcd 18158 (2000). In assessing the public interest, the Commission considers the record and accords the appropriate level of deference to Executive Branch expertise on national security and law enforcement issues. See *Foreign Participation Order*, 12 FCC Rcd at 23919-21, paras. 61-66.

competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local exchange carrier in the U.S. that is not a party to the transaction. In addition, no party to the transaction is dominant with respect to any domestic service.<sup>16</sup>

Further, as Applicants acknowledged, STi Prepaid and STi Telecom were delinquent in certain debts owed to the Commission at the time of the filing of the Applications.<sup>17</sup> The grant of these Applications shall be effective on June 27, 2014, provided that the conditions set forth in section 16 of the certain Settlement Agreement addressing the debt, dated as of May 16, 2014, by and among Angel Americas LLC, Angel Telecom Holding AG, and the Federal Communications Commission shall have been satisfied and the said Settlement Agreement shall be effective, otherwise this grant shall be null and void.<sup>18</sup>

Therefore, pursuant to section 214 of the Act, 47 U.S.C. § 214, and sections 0.51, 0.91, 0.261, and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.51, 0.91, 0.261, 0.291, the Bureaus hereby grant the Applications discussed in this Public Notice subject to compliance with the Authorization Conditions and the November 2013 Agreement. A failure to comply with and/or remain in compliance with any of the provisions of the November 2013 Agreement shall constitute a failure to meet a condition of this authorization and thus grounds for declaring the underlying authorizations terminated without further action on the part of the Commission. Failure to meet a condition of this authorization may also result in monetary sanctions or other enforcement action by the Commission.

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

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<sup>16</sup> STi Prepaid Domestic 214 Application at Att. 1, p. 10; STi Telecom Domestic 214 Application at Att. 1, p. 10.

<sup>17</sup> Letter from Jennifer Hindin, Counsel for Next Angel LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-242, File Nos. ITC-ASG-20130130-00035; ITC-ASG-20130130-00037, at 1 (filed Feb. 5, 2013). Applicants had requested a waiver of section 1.1910(c) of the Commission's rules addressing the withholding of action on applications by entities that are delinquent in debt owed to the Commission. *Id.* at 1-2 (citing 47 C.F.R. § 1.1910(c)); STi Prepaid Domestic 214 Application at Att. 1, p. 5; STi Telecom Domestic 214 Application at Att. 1, p. 5. Because Applicants have entered into a settlement agreement, it is unnecessary to address this request.

<sup>18</sup> See *Application for License Renewal of Station KBIL-FM San Angelo, Texas*, File No. BRH-900402B9, Memorandum Opinion and Order, 7 FCC Rcd 5292, 5293, para. 17 (1992) (stating that grant of a license assignment is rendered null and void, and the application would be reverted to pending status, if applicants did not meet a consummation condition associated with the transaction).

## SECTION 214 AUTHORIZATIONS

The International Bureau grants the Applications to transfer control of international section 214 authorizations held by STi Prepaid and STi Telecom to Angel Americas in connection with the proposed transaction.

### A. International

<u>File No.</u>	<u>Authorization Holder</u>	<u>Authorization Number</u>
ITC-ASG-20130130-00035	STi Prepaid, LLC	ITC-214-20010220-00085 ITC-214-20010618-00348 ITC-214-20020531-00293 ITC-214-20050315-00105
ITC-ASG-20130130-00037	STi Telecom Inc.	ITC-214-20031020-00495

### B. Domestic

The Wireline Competition Bureau grants the Applications to transfer control of domestic section 214 authority in connection with the proposed transaction.

For further information, please contact Jodie May, Wireline Competition Bureau, Competition Policy Division, (202) 418-0913; David Krech, Policy Division, International Bureau, (202) 418-7443.

- FCC -



## ATTACHMENT

# Authorization Conditions

### Definitions

- (a) "Act" means the Communications Act of 1934, as amended, 47 U.S.C. § 151 *et seq.*
- (b) "Additional Charge" means any and all charges other than a per-minute rate assessed for use of a Prepaid Calling Card, including taxes, regulatory fees, maintenance fees, weekly fees, monthly fees, connection fees, hang-up fees, payphone fees, cell phone fees, access number fees, and any and all charges or other assessments of any kind whatsoever the Company imposes that may reduce or otherwise affect the Calling Time, Rate, or value of a Prepaid Calling Card.
- (c) "Affiliate" shall have the same meaning defined in Section 153(2) of the Act, 47 U.S.C. § 153(2).
- (d) "Bureau" means the Enforcement Bureau of the Commission.
- (e) "Calling Time" means calling minutes actually delivered by a Prepaid Calling Card to a particular destination.
- (f) "Clear and Prominent Disclosure" means:
  - i. in a printed advertisement, printed promotional material (including Point-of-Sale Materials), printed instructional manual, or on a Calling Card or its packaging, a disclosure that appears in a font no smaller than the claim to which it relates, that is in a location that appears in close proximity to the claim to which it relates and sufficiently noticeable for an ordinary person to read and comprehend it, and that is in print that contrasts with the background against which it appears;
  - ii. in an advertisement communicated through an electronic audio medium (including radio and audio streaming), a disclosure that is delivered in a volume, speed and cadence sufficient for an ordinary consumer to hear and understand it;
  - iii. in an advertisement communicated through an electronic visual medium (including television, video, and interactive media such as the Internet and online services), a disclosure that appears in a font no smaller than the claim to which it relates, that is in a location, as well on screen for a duration, sufficient for an ordinary consumer to read and comprehend it, and in a print that contrasts with the background against which it appears;
  - iv. in an advertisement communicated through interactive media, a disclosure that is unavoidable and presented prior to the consumer incurring a financial obligation; and
  - v. in any medium (printed, audio, and visual, etc.), a disclosure that is in the same language as any claim about Calling Time and/or Rates, is in plain and

understandable language and syntax, and is not contradicted, inconsistent with, or in mitigation of any such claim.

- (g) "Commission" or "FCC" means the Federal Communications Commission and all of its bureaus and offices.
- (h) "Communications Laws" means, collectively, the Act, the Rules, and the published and promulgated orders and decisions of the Commission to which the Company is subject by virtue of its business activities.
- (i) "Company" means Angel Americas LLC f/k/a Next Angel LLC and any Affiliates.
- (j) "Compliance Plan" means the compliance obligations, program, and procedures described in these Authorization Conditions at Paragraph 2.
- (k) "Compliance Reports" mean the reports the Company is required to file with the Commission pursuant to Paragraph 4.
- (l) "Covered Personnel" means all employees, independent contractors, subcontractors, and agents of the Company, who perform, supervise, oversee, or manage any activities that relate to the Company's responsibilities under, and compliance with the Communications Laws.
- (m) "Effective Date" means the date of grant by the Commission of the assignment of the Section 214 authorizations to the Company.
- (n) "Operating Procedures" means the operating procedures and compliance policies established and used by the Company to implement the Compliance Plan.
- (o) "Point of Sale Material" means any poster, sign, bulletin, advertisement, "take one" card, hang tag, tear-away, product packaging, or other promotional material that is displayed at a location where a Prepaid Calling Card is sold, including kiosks, and vending machines, as well as online points of sale.
- (p) "Prepaid Calling Card" means a card or other means that can be used to make one or more telephone calls that is or are represented as being paid for prior to placing the telephone call.
- (q) "Rate" means the applicable per-minute rate for each individual destination served by a Prepaid Calling Card.
- (r) "Rules" means the Commission's regulations found in Title 47 of the Code of Federal Regulations.

### **Conditions**

1. **Compliance Officer.** Within thirty (30) calendar days after the Effective Date, the Company shall designate a senior corporate manager with the requisite corporate and organizational authority to serve as "Compliance Officer" and to discharge the duties set forth below. The Compliance Officer shall be responsible for developing, implementing, and administering the Compliance Plan and ensuring that the Company complies with the terms and conditions of the Compliance Plan and these Authorization Conditions.

2. **Compliance Plan.** The Company shall within sixty (60) calendar days after the Effective Date, develop, implement, and maintain a Compliance Plan that is designed to ensure future compliance with the Communications Laws and with the Authorization Conditions. With respect to the Company's operations and marketing of Prepaid Calling Cards, the Company shall implement the following:

- (a) **Operating Procedures.** Within sixty (60) calendar days after the Effective Date, the Company shall establish, use, and maintain Operating Procedures that the Compliance Officer and all Covered Personnel shall follow to help ensure the Company's compliance with the Communications Laws and these Authorization Conditions. The Company's Operating Procedures shall, at a minimum, include procedures and policies specifically designed to ensure that the Company's operations and provision of telecommunications services, including any aspect of its Prepaid Calling Card service provided by independent contractors, subcontractors, or agents, comply with the Communications Laws and these Authorization Conditions.
- (b) **Compliance Manual.** Within sixty (60) calendar days after the Effective Date, the Company shall develop, use, and maintain a Compliance Manual and distribute the Compliance Manual to all Covered Personnel. For any person who becomes Covered Personnel more than sixty (60) calendar days after the Effective Date, the Company shall distribute the Compliance Manual to that person within thirty (30) calendar days after the date such person becomes Covered Personnel. The Compliance Manual shall explain the applicable Communications Laws and these Authorization Conditions and instruct Covered Personnel to consult and follow the Operating Procedures to help ensure the Company's compliance with the Communications Laws. The Compliance Manual shall require Covered Personnel to contact their supervisor and/or the Compliance Officer with any questions or concerns that arise with respect to the Communications Laws or these Authorization Conditions and the Company's obligations under or compliance with the same. The supervisor shall promptly notify the Compliance Officer when a violation or potential violation of the Communications Laws or these Authorization Conditions is raised by Covered Personnel. The Company shall periodically review and revise the Compliance Manual as necessary to ensure that the information set forth therein remains current and complete, taking into account changes in the Company's Prepaid Calling Card service and processes. The Company shall distribute any revisions to the Compliance Manual to all Covered Personnel within thirty (30) calendar days after any revisions have been made by the Company.
- (c) **Compliance Training Program.** Within sixty (60) calendar days after the Effective Date, the Company shall establish, implement, and maintain a Compliance Training Program to ensure compliance with the Communications Laws and the Operating Procedures. As part of the Compliance Training Program, Covered Personnel shall be advised of the Company's obligation to report any noncompliance with the Communications Laws under Paragraph 3 of these Authorization Conditions and shall be instructed on how to disclose noncompliance to the Compliance Officer. All Covered Personnel shall be trained pursuant

to the Compliance Training Program within sixty (60) calendar days after the Effective Date, except that any person who becomes Covered Personnel at any time after the Effective Date shall be trained within thirty (30) calendar days after the date such person becomes Covered Personnel. The Company shall repeat the compliance training on an annual basis and shall periodically review and revise the Compliance Training Program as necessary to ensure that it remains current and complete and to enhance its effectiveness.

- (d) **Acts or Omissions of Contractors and Agents.** The Company acknowledges that the act, failure to act, or omission by any independent contractor, subcontractor, or agent of the Company, acting in such capacity, that results in a violation of the Communications Laws or these Authorization Conditions constitutes an act, failure to act, or omission by the Company.
- (e) **Additional Compliance Measures.** The Company shall implement the following additional compliance measures:
  - i. **General Marketing Requirements.** In connection with the advertising, distribution, marketing, promotion, offering for sale, sale, or provision of Prepaid Calling Cards or any telecommunications service, the Company:
    - a. shall not, directly or indirectly, make any material misrepresentation concerning Calling Time, Rates or Additional Charges;
    - b. shall be specific with respect to the amount of any Additional Charge and shall not include a possible range applicable to any such Additional Charge or use ambiguous language such as “up to,” “may apply,” or “no higher than,” etc. when referring to such Additional Charge;
    - c. shall, in any advertisement, offer for sale, Point of Sale Material, or Prepaid Calling Card that contains an express or implied representation about the specific value of a Prepaid Calling Card, Calling Time and/or Rate, or any Additional Charge or the absence thereof, make a Clear and Prominent Disclosure of all material limitations relating to the use of the Prepaid Calling Card, including:
      - 1. the existence and exact amount of each Additional Charge and when and under what circumstances each such Additional Charge applies when using the Prepaid Calling Card;
      - 2. the statement that the advertised Calling Time and/or Rates are available only for a single or limited number of calls, if such is the case;
      - 3. any limitation on the period of time during which the advertised Calling Time and/or Rate is available; and
      - 4. the time at which the Prepaid Calling Card expires;
    - d. shall not, directly or indirectly, use the term “toll free access number” or any similar term to refer to a number that results in the application of an Additional Charge or increase in the Rate;



- e. shall include a toll-free number and website address (if the Company maintains a website) where consumers can obtain the current Rate for each destination served by a Prepaid Calling Card of the Company; and
- f. shall not, directly or indirectly, implement or otherwise give any effect of any kind whatsoever to any term or condition of service for which there has not been a Clear and Prominent Disclosure of such term or condition. This prohibition applies to Prepaid Calling Cards and telecommunications services advertised, distributed, marketed, promoted, offered for sale, or sold before the effective date of these Authorization Conditions.

- ii. **Specific Requirements for Physical Prepaid Calling Cards.** In any case where the Prepaid Calling Card contains a “hang tag” or “tear-away tag,” the disclosures required by Paragraph 2(e)i.c. and 2(e)i.e. above shall be set forth on the physical Prepaid Calling Card that contains information on how to use the card.

3. **Reporting Noncompliance.** The Company shall report any noncompliance with the Communications Laws and with these Authorization Conditions within fifteen (15) calendar days after discovery of such noncompliance. Such reports shall include a detailed explanation of: (i) each instance of noncompliance; (ii) the steps that the Company has taken or will take to remedy such noncompliance; (iii) the schedule on which such remedial actions will be taken; and (iv) the steps that the Company has taken or will take to prevent the recurrence of any such noncompliance. All reports of noncompliance shall be submitted to the Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, Room 3-C366, 445 12th Street, S.W. Washington, D.C. 20554, with a copy submitted electronically to Richard Hindman at [richard.hindman@fcc.gov](mailto:richard.hindman@fcc.gov) and to [fccebaaccess@fcc.gov](mailto:fccebaaccess@fcc.gov).

4. **Compliance Reports.** The Company shall file “Compliance Reports” with the Commission ninety (90) calendar days after the Effective Date, twelve (12) months after the Effective Date, twenty-four (24) months, and thirty-six (36) months after the Effective Date.

- (a) Each Compliance Report shall include a detailed description of the Company’s efforts during the relevant period (beginning on the Effective Date, and continuing through to the filing date of each report) to comply with these Authorization Conditions and the Communications Laws.
- (b) In addition, each Compliance Report shall include a certification by the Compliance Officer, as an agent of and on behalf of the Company, stating that the Compliance Officer has personal knowledge that the Company: (i) has established, implemented, and is maintaining a plan to monitor and ensure compliance with the Communications Laws and the Authorization Conditions, and (ii) is not aware of any instances of noncompliance with these Authorization Conditions, including the reporting obligations set forth in Paragraph 3 above.
- (c) The Compliance Officer’s certification shall be accompanied by a statement explaining the basis for such certification and must be in the form set forth in Section 1.16 of the Rules (47 C.F.R. § 1.16) and be subscribed to as true under penalty of perjury in substantially the form set forth therein.
- (d) If the Compliance Officer cannot provide the requisite certification, the Compliance Officer, as an agent of and on behalf of the Company, shall provide the Commission with a detailed explanation of the reason(s) why and describe fully: (i) each instance of

noncompliance; (ii) the steps that the Company has taken or will take to remedy such noncompliance, including the schedule on which proposed remedial actions will be taken; and (iii) the steps that the Company has taken or will take to prevent the recurrence of any such noncompliance, including the schedule on which such preventive action will be taken.

- (e) All Compliance Reports shall be submitted to the Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, D.C. 20554, with a copy submitted electronically to Richard Hindman at [richard.hindman@fcc.gov](mailto:richard.hindman@fcc.gov) and to [fccebaaccess@fcc.gov](mailto:fccebaaccess@fcc.gov).

# **ATTACHMENT 3**

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Angel Mobile, Inc.,	)	File No. ITC-214-20131206-00337
<i>Applicant.</i>	)	
	)	

**PETITION TO ADOPT CONDITIONS TO  
AUTHORIZATIONS AND LICENSES**

The Department of Justice (“DOJ”) , with the concurrence of the Department of Homeland Security (collectively, the “Agencies”), submits this Petition to Adopt Conditions to Authorizations and Licenses (Petition) pursuant to Section 1.41 of the Federal Communications Commission (“Commission”) rules.<sup>1</sup> Through this Petition, the Agencies advise the Commission that they have no objection to the Commission approving the authority sought in the above-referenced proceeding, provided that the Commission conditions its approval on the assurance of Angel Mobile, Inc. (“Angel Mobile”) to abide by the commitments and undertakings set forth in the attached July 7, 2014, Letter of Agreement from Angel Mobile to the DOJ (“the Agreement”).

The Commission has long recognized that law enforcement, national security, and public safety concerns are part of its public interest analysis, and has accorded deference to the views of other U.S. government agencies with expertise in those areas. *See In the Matter of Comsat Corporation d/b/a Comsat Mobile Communications, etc.*, 16 FCC Rcd. 21,661, 21707 ¶ 94 (2001).

After discussions and communications with representatives of the Applicants in connection with the above-referenced proceeding, the Agencies have concluded that the

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<sup>1</sup> 47 C.F.R. § 1.41.



additional commitments set forth in the Agreement will help ensure that the agencies with responsibility for enforcing the law, protecting the national security, and preserving public safety, can proceed appropriately to satisfy those responsibilities. Accordingly, the Agencies advise the Commission that they have no objection to the Commission granting the application in the above-referenced proceeding, provided that the Commission conditions its consent on Angel Mobile's compliance with the Agreement.

Respectfully submitted,

/s/ Richard C. Sofield

Richard C. Sofield

U.S. Department of Justice

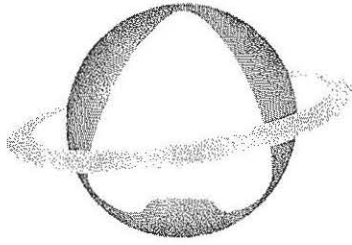
Director – Foreign Investment Review Staff

National Security Division

600 E Street, NW, Suite 10000

Washington, D.C. 20004

July 10, 2014



Angel Mobile

AngelTelecomGroup

July 7, 2014

Mr. John Carlin  
Assistant Attorney General for National Security  
U.S. Department of Justice  
National Security Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
ttelecom@usdoj.gov

Unit Chief, Science and Technology Policy and Law Unit  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Room 7350  
Washington, DC 20535

**Re: Pending application by Angel Mobile Inc. ("Angel Mobile") for authority to provide facilities-based and resale service pursuant to Section 214 of the Communications Act of 1934, as amended, and in accordance with the Federal Communications Commission's rules, 47 C.F.R. § 63.18(e)(1), (e)(2) (TT 13-82/FCC file number ITC-214-20131206-00337).**

Dear Mr. Carlin,

This letter of agreement ("Agreement") outlines the commitments made by Angel Mobile to the U.S. Department of Justice ("DOJ"), including the National Security Division ("NSD") and the Federal Bureau of Investigation ("FBI"), in order to address national security, law enforcement, and public safety concerns raised with regard to the company's application to the Federal Communications Commission ("FCC" or "Commission") seeking FCC authority to provide facilities-based and resale service pursuant to Section 214 of the Communications Act of 1934, as amended, and in accordance with section 63.18(e)(1) and (e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (e)(2).

Angel Mobile, a Nevada corporation and wholly-owned subsidiary of Angel Telecom (USA) Inc. ("Angel Telecom"),<sup>1</sup> plans to provide facilities-based and resale telecommunication services between the U.S. and all authorized international points. Angel Mobile's headquarters are located at 919 3<sup>rd</sup> Avenue, 11<sup>th</sup> Floor, New York City, NY 10022.

Angel Mobile's business plan is to solely re-sell the services of other wireless providers, and is relying on the ability of the underlying providers to provide the required assistance to law

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<sup>1</sup> Angel Telecom, a U.S. company owned by foreign nationals (>70%), also is a parent entity to Angel Americas LLC ("Angel Americas"). Angel Americas signed a November 15, 2013, letter of agreement with the DOJ which the FCC incorporated by in a grant of an international telecommunications certificate to Angel Americas (file number ITC-214-20130429-00125).

enforcement under the Communications Assistance for Law Enforcement Act (CALEA) and other applicable federal and state statutes, regulations, and requirements. Should Angel Mobile begin to provide other services, Angel Mobile agrees to comply with all applicable federal and state lawful interception statutes, regulations, and requirements, including CALEA and its implementing regulations,<sup>3</sup> and will comply with all court orders and other legal process for lawfully authorized electronic surveillance and physical search.<sup>4</sup> Angel Mobile also will provide notice of any change in its lawful intercept capabilities to NSD and FBI within 30 days of such change, and will certify its compliance with CALEA no more than 60 days following its notice of new facilities, services, or capabilities. Further, Angel Mobile agrees to provide at least 30 days advance notice to NSD and FBI in the event that Angel Mobile plans to provide services falling within the scope of CALEA.

Angel Mobile agrees that it will inform NSD and FBI at least 30 days in advance if it becomes an enhanced Mobile Virtual Network Operator ("EMVNO") or provides wireless voice and data or interconnected Voice over Internet Protocol ("VoIP") services to residential users, businesses, and enterprises in the U.S.

Angel Mobile agrees that it will not directly or indirectly disclose or permit disclosure of or access to U.S. Records<sup>2</sup> or Domestic Communications<sup>3</sup> or any information (including call content and call data) pertaining to a wiretap order, pen/trap and trace order, subpoena, or any other lawful request by a U.S. law enforcement agency for U.S. Records to any person if the purpose of such disclosure or access is to respond to the legal process or request on behalf of a non-U.S. government<sup>4</sup> without first satisfying all pertinent requirements of U.S. law and obtaining the express written consent of DOJ, or the authorization of a court of competent jurisdiction in the U.S. Any such legal process or requests submitted by a non-U.S. government to Angel Mobile shall be referred to DOJ as soon as possible, but in no event later than five business days after such legal process or request is received by or made known to Angel Mobile

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<sup>3</sup> This statement neither supersedes nor replaces Angel Mobile's other duties to comply with all applicable federal and state lawful interception statutes, regulations, and requirements, or court orders and legal process, for lawfully authorized electronic surveillance and physical search.

<sup>4</sup> Angel Mobile may use a U.S. Trusted Third Party outsourcing partner to implement its lawful intercept capability. Such Trusted Third Party shall be subject to prior review and non-objection by NSD and FBI. (In its February 27, 2014, answers to DOJ Triage Questions, Angel Mobile indicated that it would be contracting with a U.S. based carrier that is fully CALEA compliant and would be relying on that contracted carrier for lawful intercept capabilities.)

<sup>2</sup> "U.S. Records," as used herein, means Angel Mobile's customer billing records, subscriber information, and any other related information used, processed, or maintained in the ordinary course of business relating to the services offered by Angel Mobile in the U.S. For these purposes, U.S. Records also shall include information subject to disclosure to a U.S. federal or state governmental entity under the procedures specified in Sections 2703(c) and (d) and Section 2709 of Title 18 of the U.S. Code.

<sup>3</sup> "Domestic Communications," as used herein, means: (1) Wire Communications or Electronic Communications (whether stored or not) from one U.S. location to another U.S. location; and (b) the U.S. portion of a Wire Communication or Electronic Communication (whether stored or not) that originates or terminates in the United States. "Electronic Communication" has the meaning given in 18 U.S.C. § 2510(12). "Wire Communication" has the meaning given in 18 U.S.C. § 2510(1).

<sup>4</sup> The term "non-US government" means any government, including an identified representative, agent, component or subdivision thereof, that is not a local, state, or federal government in the U.S.

unless disclosure of the legal process or request would be in violation of U.S. law or an order of a court of the U.S.

In addition, Angel Mobile agrees to provide NSD and FBI advance notice of the location of Angel Mobile's U.S. Records' storage facility at least 30 days' prior to the time in which Angel Mobile anticipates generating U.S. Records, with the understanding that, should NSD or the FBI object to the location notified, Angel Mobile will find and notify NSD and FBI of an alternate location. Further, in the event that Angel Mobile selects a location outside of the U.S., and NSD and the FBI do not object to such location, Angel Mobile agrees to ensure that U.S. Records are not made subject to mandatory destruction under any foreign laws.

Angel Mobile further agrees to designate a U.S. Law Enforcement Point of Contact ("POC") in the U.S., preferably a U.S. citizen, to receive service of process for U.S. Records and, where possible, to assist and support lawful requests for surveillance or production of U.S. Records by U.S. federal, state, and local law enforcement agencies ("Lawful U.S. Process"). Angel Mobile will give notice of its POC to NSD and FBI for approval within 14 days of the date that Angel Mobile receives from the FCC the telecommunications certification at issue herein. In addition, Angel Mobile will give NSD and FBI at least 30 days' prior notice of any change to its POC, and Angel Mobile's newly designated POC shall be subject to DOJ review and approval. Angel Mobile also agrees that the designated POC will have access to all U.S. Records, and, in response to Lawful U.S. Process, will make such records available promptly, and in any event no later than five business days after receiving such Lawful U.S. Process.

Angel Mobile further agrees that it will not outsource or off shore any operations and/or services, including but not limited to operations and/or services in relation to the following, outside of the U.S. without providing NSD and FBI 30 days' notice:

- Network operation center(s) ("NOC");
- Network maintenance services;
- Customer service;
- Any operation/service that could potentially expose U.S. domestic telecommunications infrastructure, U.S. customer data and records, call detail records ("CDRs"), customer proprietary network information ("CPNI"); and/or
- The deployment of any network elements, hardware, software, core network equipment, and network management capabilities that are owned, managed, manufactured or controlled by a foreign government or non-public entities.<sup>5</sup>

After receiving such notice, NSD or FBI will have 30 days to object to the vendor/provider/service notified, after which time if no objection is sent by NSD or FBI Angel Mobile may consider NSD and FBI to have implicitly non-objected to the notified selection. Notwithstanding the foregoing, Angel Mobile may outsource or off shore operations and/or

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<sup>5</sup> In its February 27, 2014, answers to DOJ Triage Questions, Angel Mobile indicated that it would be outsourcing its entire production network to a U.S. based (214 licensed) carrier, but that there were no existing or planned partnerships or relationships with foreign companies or foreign-government-controlled companies outside and apart from the fact of Angel Mobile's foreign ownership.



services, including those listed above, without providing prior notice to NSD and FBI, to any Affiliate of Angel Mobile, as that term is defined in the Securities Act of 1933.

Angel Mobile further agrees to provide DOJ with notices of material change (e.g., corporate structure changes of importance to this Agreement, corporate name changes for Angel Mobile, etc.) within 30 days of such change.

In addition, Angel Mobile agrees to provide annual reports to NSD and FBI regarding the company's compliance with this Agreement, to include:

- Certifications that there were no material changes (where no changes were notified to DOJ during the preceding year);
- Statement(s) regarding the status of implementation of lawful interception capabilities, including CALEA compliance;
- Notice(s) regarding the company's handling of U.S. Records, Domestic Communications, and U.S. Lawful Process (i.e., whether handled properly and in accordance with the assurances contained herein);
- Notification(s) of any changes in the services that Angel Mobile provides (as described in paragraph 4, above), or confirmation that no additional services are being offered;
- Notification(s) of any relationships with foreign-owned telecommunications partners, including any peer relationships;
- Notification(s) of the installation and/or purchase or lease of any foreign-manufactured telecommunication equipment (including, but not limited to, switches, routers, software, hardware);
- Report(s) of any occurrences of cyber-security incidents, network and enterprise (private network) breaches, and unauthorized access to customer data and information;
- A re-identification of the name of and contact information for the current POC; and
- Notifications regarding any other matters of relevant to this Agreement.

These annual reports will be due on January 31 of each calendar year, beginning January 31, 2015, and will be addressed to the following:

Assistant Attorney General for National Security  
U.S. Department of Justice  
National Security Division  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
Attn.: Team Telecom  
Electronic mail: [ttelecom@usdoj.gov](mailto:ttelecom@usdoj.gov)

Unit Chief, Science and Technology Policy and Law Unit  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Room 7350  
Washington, DC 20535

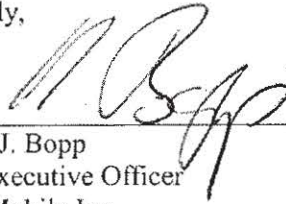
Courtesy electronic copies of all notices and communications also will be sent to the following, or to those individuals identified to Angel Mobile by DOJ in the future: Caroline Brown of the DOJ (at [caroline.brown@usdoj.gov](mailto:caroline.brown@usdoj.gov)); Richard Sofield of the DOJ ([richard.sofield2@usdoj.gov](mailto:richard.sofield2@usdoj.gov)); Kristin Taylor of the DOJ (at [kristin.taylor@usdoj.gov](mailto:kristin.taylor@usdoj.gov)); and Jonathan Frenkel of the FBI (at [jonathan.frenkel@ic.fbi.gov](mailto:jonathan.frenkel@ic.fbi.gov)).

Angel Mobile agrees that in the event that the commitments set forth in this letter are breached, in addition to any other remedy available at law or equity, DOJ may request that the FCC modify, condition, revoke, cancel, or render null and void any relevant license, permit, or other authorization granted by the FCC to Angel Mobile or any successors-in-interest. Nothing herein shall be construed to be a waiver by Angel Mobile of, or limitation on, its right to oppose or comment on any such request.

Nothing in this letter is intended to excuse Angel Mobile from its obligations to comply with any and all applicable legal requirements and obligations, including any and all applicable statutes, regulations, requirements, or orders.

Angel Mobile understands that, upon execution of this letter by an authorized representative or attorney for Angel Mobile, or shortly thereafter, DOJ shall notify the FCC that it has no objection to the FCC's grant of Angel Mobile's application provided that this Agreement is placed as a condition on the FCC's authorization.

Sincerely,



Roland J. Bopp  
Chief Executive Officer  
Angel Mobile Inc.

# **ATTACHMENT 4**



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

News media information 202-418-0500  
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)  
TTY (202) 418-2555

Report No. TEL-01683

DA No. 14-1062

Friday July 25, 2014

## International Authorizations Granted

### Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

An updated version of Sections 63.09--25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20120920-00244 E Quickly Phone USA, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 07/18/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 18, 2014, by the Department of Justice (DOJ) and the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by Quickly Phone USA, LLC with the commitments and undertakings set forth in the June 19, 2014 letter from Marco Antonio Fernandez Martinez, President, Quickly Phone USA, LLC, to the Assistant Attorney General, National Security Division, DOJ and Unit Chief, Science and Technology Policy and Law Unit, Federal Bureau of Investigation (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20120920-00244 and accessing the "Other Filings related to this application" from the Document Viewing Area.



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**ITC-214-20131106-00302**      E      Altex Group Corp.  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/23/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 23, 2014, by the Department of Justice (DOJ), the Department of Defense (DOD), and the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by Altex Group Corp. with the commitments and undertakings set forth in the June 2, 2014 letter from Paola Galindo, President, Altex Group Corp., to the Assistant Attorney General, National Security Division, DOJ (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20131106-00302 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20131121-00316**      E      TI Wholesale Services Puerto Rico, Inc.  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/17/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

Applicant agrees to be classified as a dominant carrier pursuant to section 63.10 of the Commission's rules, 47 C.F.R. § 63.10, on the U.S.-Argentina, U.S.-Brazil, U.S.-Chile, U.S.-Colombia, U.S.-Peru, and U.S.-Spain routes.

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**ITC-214-20131121-00317**      E      iTellum, LTD  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/22/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 22, 2014, by the Department of Justice (DOJ) and the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by iTellum, LTD with the commitments and undertakings set forth in the June 16, 2014 letter from Tim Foss, President, iTellum, LTD, to the Assistant Attorney General, National Security Division, DOJ (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20131121-00317 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20131121-00319**      E      Telediga, LTD  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/22/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 22, 2014, by the Department of Justice (DOJ), the Department of Defense (DOD), and the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by Telediga, LTD with the commitments and undertakings set forth in the June 16, 2014 letter from Tim Foss, President, Telediga, to the Assistant Attorney General, National Security Division, DOJ (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20131121-00319 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20131206-00337**      E      Angel Mobile Inc.  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/10/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 10, 2014, by the Department of Justice (DOJ) and the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by Angel Mobile Inc. with the commitments and undertakings set forth in the July 7, 2014 letter from Roland Bopp, CEO, Angel Mobile Inc., to the Assistant Attorney General, National Security Division, DOJ and Unit Chief, Science and Technology Policy and Law Unit, Federal Bureau of Investigation (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20131206-00337 and accessing the "Other Filings related to this application" from the Document Viewing Area.

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**ITC-214-20131217-00329**      E      JAGAT INTERNATIONAL LLC  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/17/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

---

**ITC-214-20140228-00060**      E      RCLEC, Inc.  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/21/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-214-20140603-00167**      E      Prab Consulting and Services  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/21/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

---

**ITC-214-20140619-00186**      E      Latitude Telecom, LLC  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/21/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-214-20140619-00187**      E      Switchsoft Inc.  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/21/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20140627-00190**      E      Idealtel Dominicana USA, Inc. dba myidealtel.com  
International Telecommunications Certificate  
**Service(s):**      Global or Limited Global Resale Service  
**Grant of Authority**      Date of Action:      07/21/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-ASG-20140710-00200****E****New Cingular Wireless PCS, LLC**

Assignment

Grant of Authority

Date of Action: 07/24/2014

**Current Licensee:** ATM Tide Acquisition Company LLC**FROM:** ATM Tide Acquisition Company LLC**TO:** New Cingular Wireless PCS, LLC

Notification filed July 10, 2014 of the pro forma assignment of international section 214 authorization, ITC-214-20000707-00386, held by ATM Tide Acquisition Company LLC (ATM Tide), to New Cingular Wireless PCS, LLC (New Cingular), effective June 11, 2014. Prior to closing both ATM Tide and New Cingular were wholly owned indirect subsidiaries of AT&T, Inc. (AT&T), a widely held publicly owned entity. ATM Tide was merged with and into New Cingular, and eliminated. Upon closing, New Cingular holds international section 214 authorization, ITC-214-20000707-00386, and remains a wholly owned indirect subsidiary of AT&T.

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**ITC-T/C-20130605-00164****E****Primus Telecommunications, Inc.**

Transfer of Control

Grant of Authority

Date of Action: 07/18/2014

**Current Licensee:** Primus Telecommunications, Inc.**FROM:** Primus Telecommunications Group, Inc.**TO:** PTUS, Inc.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19960705-00299 (Old File No. ITC-96-374), ITC-214-19951015-00041 (Old File No. ITC-95-631), ITC-214-19960215-00015 (Old File No. ITC-96-075), held by Primus Telecommunications, Inc. (PTI), from its indirect 100% parent, Primus Telecommunications Group, Inc. (PTGI), to PTUS, Inc. (PTUS). Pursuant to an Equity Purchase Agreement, dated May 10, 2013, PTUS will acquire all of the stock of PTI from Primus Telecommunications Holding, Inc., PTGI's wholly-owned intermediate subsidiary, and PTI will become a wholly-owned subsidiary of PTUS.

PTUS is 100% owned by PT Holdco, Inc., a Canadian holding company, which in turn is wholly owned by PT Investor, L.P. (PT Investor), a Cayman Islands limited partnership. PT Investor is controlled by its sole general partner, York Special Opportunities Domestic Holdings, LLC (YSODH), a New York limited liability company. Abu Dhabi Investment Authority (ADIA), an investment institution organized under the laws of the United Arab Emirates holds a 19.84% limited partnership equity interest in PT Investor. No other limited partner of PT Investor holds a 10% or greater limited partnership equity interest. Control of YSODH is vested solely in its managing member, York Capital Management Global Advisors, LLC (YCMGA), a New York limited liability company. YCMGA is controlled by its Chairman, Chief Executive Officer, and founder, James Dinan, U.S. citizen. No other entity or individual will hold a 10% or greater direct or indirect ownership interest in PTI after closing.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on July 17, 2014, by the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Accordingly, we condition grant of this application on compliance by Primus Telecommunications, Inc. with the commitments and undertakings set forth in the July 16, 2014 letter from Glen Gordon, CEO, PTUS, Inc., to the Assistant Attorney General, National Security Division, DOJ (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20130605-00164 and accessing the "Other Filings related to this application" from the Document Viewing Area.

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

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**ITC-T/C-20140714-00198****E****Zayo Enterprise Networks, LLC**

Transfer of Control

Grant of Authority

Date of Action: 07/24/2014

**Current Licensee:** Zayo Enterprise Networks, LLC**FROM:** Zayo Group Holdings, Inc.**TO:** Communications Infrastructure Investments, LLC

Notification filed July 14, 2014, of the pro forma transfer of control of international section 214 authorization, ITC-214-20091016-00444, held by Zayo Enterprise Networks, LLC (ZEN), from Zayo Group Holdings, Inc. (Holdings) to Communications Infrastructure Investments, LLC (CII), effective June 16, 2014. ZEN is a wholly-owned, direct subsidiary of Onvoy, LLC (Onvoy). The membership interests of Onvoy were transferred from Holdings, the direct 100% parent of Onvoy, to CII, the direct 100% parent of Holdings and the indirect 100% parent of Onvoy. Upon closing, Onvoy became a direct subsidiary of CII, and ZEN continues to remain a direct subsidiary of Onvoy and an indirect subsidiary of CII.

ITC-T/C-20140714-00201 E

Onvoy, LLC

Transfer of Control

Grant of Authority

Date of Action: 07/24/2014

**Current Licensee:** Onvoy, LLC

**FROM:** Zayo Group Holdings, Inc.

**TO:** Communications Infrastructure Investments, LLC

Notification filed July 14, 2014, of the pro forma transfer of control of international section 214 authorizations, ITC-214-19971205-00766 and ITC-214-19970722-00425, held by Onvoy, LLC (Onvoy), from Zayo Group Holdings, Inc. (Holdings) to Communications Infrastructure Investments, LLC (CII), effective June 16, 2014. The membership interests of Onvoy were transferred from Holdings, the direct 100% parent of Onvoy, to CII, the direct 100% parent of Holdings and the indirect 100% parent of Onvoy. Upon closing, Onvoy became a direct subsidiary of CII.

**INFORMATIVE**

ITC-214-20070928-00393

Asia Consultancy Group, LLC

By letter dated July 10, 2014, the Commission was notified that the name change from Asia Consultancy Group, LLC to ARX Communications, LLC, posted in the Actions Taken Public Notice released May 29, 2014, did not take place and the applicant's name remains Asia Consultancy Group, LLC.

## CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a).
- (8) Carriers shall file annual reports of circuit status required by Section 43.82. This requirement applies to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.
- (12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

#### Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

#### Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

#### Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permited.html>.

This list is subject to change by the Commission when the public interest requires. A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.

# **ATTACHMENT 5**



## Taylor, Kristin (NSD)

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**From:** Marcel Schuster <mail@marcelschuster.com>  
**Sent:** Thursday, May 28, 2015 12:14 PM  
**To:** Taylor, Kristin (NSD)  
**Cc:** Breitenbach, Ryan D. (OGC) (FBI); Brown, Caroline (NSD)  
**Subject:** AW: Angel Mobile Letter of Assurance to the U.S. Department of Justice  
**Attachments:** Notice Angel America.pdf; Angel Americas LLC Resignation20150510.pdf

Dear Miss Taylor,

your Mail had been forwarded to me, please be advised that I have resigned from all positions with Angel Americas by March 3<sup>rd</sup>, as well as Angel Telecom Holding is in a bankruptcy scenario, where the control had been taken over by the bankruptcy court of Zug in Switzerland. The FCC is aware about the situation and had already made their claims against Angel Telecom Holding AG. Roland Bopp had resigned May 10<sup>th</sup> so only Mr Peter Waneck the Chairman is far as I know just left.

I apologize that I cannot assist you, but for sure wherever I can I am more than willing to do so.

Kind rgds

Marcel Schuster

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**Von:** Taylor, Kristin (NSD) [mailto:Kristin.Taylor@usdoj.gov]  
**Gesendet:** Mittwoch, 27. Mai 2015 22:49  
**An:** marcel.schuster@angel-telecom.com  
**Cc:** tlynch@telecomlawyers.com; Breitenbach, Ryan D. (OGC) (FBI); Brown, Caroline (NSD); Jenni Partridge (Jenni.partridge@ceretel.com)  
**Betreff:** RE: Angel Mobile Letter of Assurance to the U.S. Department of Justice

Mr. Schuster,

We did not receive a response to our below query. This email is to advise that if we do not receive a response by close of business Friday, June 5, 2015, the Department of Justice will request that the Federal Communications Commission terminate Angel Mobile's license.

Regards,

Kristin Taylor  
Attorney  
FIRS, NSD, DOJ  
(202) 233-0710

---

**From:** Taylor, Kristin (NSD)  
**Sent:** Wednesday, May 13, 2015 6:00 PM  
**To:** 'marcel.schuster@angel-telecom.com'  
**Cc:** tlynch@telecomlawyers.com; Breitenbach, Ryan D. (OGC) (FBI) (Ryan.Breitenbach@ic.fbi.gov); Brown, Caroline (NSD)  
**Subject:** FW: Angel Mobile Letter of Assurance to the U.S. Department of Justice

Mr. Schuster,

I am writing in relation to the July 7, 2014, Letter of Agreement ("LOA") from Angel Mobile, Inc. ("Angel Mobile") to the U.S. Department of Justice ("DOJ"). As you can see from the below email chain, the DOJ has been informed that you are an appropriate point of contact regarding matters pertaining to Angel Mobile.



We have been informed that Angel Mobile never became operational and is a dormant entity. Is that true? And, is there any intention to stand up the company?

Has Angel Mobile filed any notices with the Federal Communications Commission advising that body of Angel Mobile's dormant status?

Thank you in advance for your assistance,

Kristin Taylor  
Attorney  
FIRS, NSD, DOJ  
(202) 233-0710

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**From:** Jenni Partridge [<mailto:Jenni.partridge@ceretel.com>]  
**Sent:** Wednesday, May 13, 2015 5:52 PM  
**To:** Taylor, Kristin (NSD); Roland J. Bopp  
**Cc:** [tlynch@telecomlawyers.com](mailto:tlynch@telecomlawyers.com); Breitenbach, Ryan D. (OGC) (FBI); Brown, Caroline (NSD)  
**Subject:** RE: Angel Mobile Letter of Assurance to the U.S. Department of Justice

Good Afternoon Ms. Taylor,

Roland has asked me to advise you that Angel Americas ceased to operate as of March 12, 2015, and Angel Mobile never became operational and is a dormant entity.

In addition, Roland is no longer the appropriate person to be contacted at Angel Americas and/or Angel Mobile.

Please contact Marcel Schuster via email at [marcel.schuster@angel-telecom.com](mailto:marcel.schuster@angel-telecom.com) or at the address below:

Blegistrasse 11a, Baar Switzerland

Thank you,

Jenni

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**From:** Taylor, Kristin (NSD) [<mailto:Kristin.Taylor@usdoj.gov>]  
**Sent:** Wednesday, May 13, 2015 5:37 PM  
**To:** Roland J. Bopp  
**Cc:** [tlynch@telecomlawyers.com](mailto:tlynch@telecomlawyers.com); Jenni Partridge; Breitenbach, Ryan D. (OGC) (FBI); Brown, Caroline (NSD)  
**Subject:** Angel Mobile Letter of Assurance to the U.S. Department of Justice

Mr. Bopp,

I am writing in regards to the July 7, 2014, Letter of Agreement ("LOA") from Angel Mobile, Inc. ("Angel Mobile") (executed by you as the Chief Executive Officer) to the U.S. Department of Justice ("DOJ") (see attached). The LOA was executed in relation to International Telecommunications Certificate ITC-214-20131206-00337, granted by the Federal Communications Commission ("FCC") on July 10, 2014. The FCC specifically conditioned the grant of such license on Angel Mobile's compliance with the LOA (see attached public notice).

Are you an appropriate point of contact within Angel Mobile for this matter? If so, please provide current telephone number(s) and email and physical addresses where you can be reached. If not, please advise of an alternate point of contact and a method for contacting that individual.

The LOA provides that Angel Mobile will provide an annual report regarding information specified in the LOA by January 31 of each calendar year. Angel Mobile did not submit an annual report for 2015. **Please submit an annual report no later than May 27, 2015.**

I note that the LOA provides the following:

Angel Mobile agrees that in the event that the commitments set forth in this letter are breached, in addition to any other remedy available at law or equity, DOJ may request that the FCC modify, condition, revoke, cancel, or render null and void any relevant license, permit, or other authorization granted by the FCC to Angel Mobile or any successors-in-interest.

**Should Angel Mobile not submit an annual report by May 27, 2015, the DOJ may, without further notice to Angel Mobile, alert the FCC that Angel Mobile is not in compliance with the LOA and request termination of the above-identified FCC license.**

In addition, please confirm the following:

1. That Angel Mobile has not become an enhanced Mobile Virtual Network Operator, and is not providing wireless voice and data or interconnected Voice over Internet Protocol services to residential users, businesses, and enterprises in the U.S.
2. That Angel Mobile has not generated any "U.S. Records" within the meaning of the LOA.
3. That Angel Mobile has not outsourced, or removed off shore, any of its operations or services as described in the LOA.

The official points of contact for this matter within the DOJ remain:

Assistant Attorney General for National Security  
National Security Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
Attn.: Team Telecom, Foreign Investment Review Staff  
Electronic mail: [ttelecom@usdoj.gov](mailto:ttelecom@usdoj.gov)

Unit Chief, Science and Technology Policy and Law Unit  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Room 7350  
Washington, DC 20535

However, courtesy electronic copies also should be sent to: Richard Sofield of the DOJ (at [richard.sofield2@usdoj.gov](mailto:richard.sofield2@usdoj.gov)); Caroline Brown, the attorney assigned to this matter (at [caroline.brown@usdoj.gov](mailto:caroline.brown@usdoj.gov)); Ryan Breitenbach of the Federal Bureau of Investigation (at [ryan.breitenbach@ic.fbi.gov](mailto:ryan.breitenbach@ic.fbi.gov)) (**new point of contact**); and myself (at [kristin.taylor@usdoj.gov](mailto:kristin.taylor@usdoj.gov)).

Please feel free to reach out to me at the below number should you need to speak with me.

Regards,

Kristin Taylor  
Attorney  
Foreign Investment Review Staff  
National Security Division  
U.S. Department Justice  
(202) 233-0710

Angel Americas LLC  
Attn.:  
Chairman Peter Waneck  
CEO Roland J Bopp  
Shareholder  
of the Company  
919, 3<sup>rd</sup> Avenue  
New York

3/3/2015

Notice of Resignation as CFO and Board Member

Dear Gentlemen,

I herewith give you notice that I resign as CFO and Member of the Board with immediate effect.

The CEO had taken control of all financial transactions, to manage and to lead the company by itself, this made me not possible to actively co-manage or support the company any more.

Although I resign from my duties I will not give up my right to be compensated for my services or expenses. All outstanding compensations and payments are due immediately.

All the best for the future



Marcel Aron Schuster

Roland Bopp

May 10<sup>th</sup>, 2015

6 Sherman Ave.

Bronxville, NY 10708

USA

To: Board of Directors of Angel Americas LLC

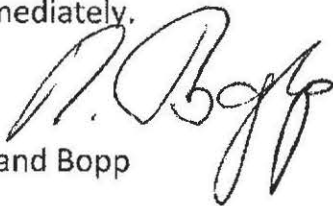
Peter Waneck, Chairman

Marcel Schuster, Member of the BoDs

Re.: Resignation

I herewith resign from my position as CEO of Angel Americas LLC effective immediately.

Roland Bopp

A handwritten signature in black ink, appearing to read 'R. Bopp', is written over the printed name 'Roland Bopp'.



# **ATTACHMENT 6**

**ANGEL MOBILE, INC.**[New Search](#)  
(CorpSearch.aspx)[Printer Friendly](#)[Calculate List Fees](#)  
(FeeDetails.aspx?  
ctok=RefuRkXjbGn5F25oPFRa9A%  
253d%253d)

Business Entity Information			
Status:	Default	File Date:	10/24/2013
Type:	Domestic Corporation	Entity Number:	E0515462013-5
Qualifying State:	NV	List of Officers Due:	10/31/2015
Managed By:		Expiration Date:	
NV Business ID:	NV20131626659	Business License Exp:	10/31/2015

Registered Agent Information			
Name:	UNITED CORPORATE SERVICES, INC.	Address 1:	2520 ST ROSE PKWY STE 319
Address 2:		City:	HENDERSON
State:	NV	Zip Code:	89074
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	NEVADA	Status:	Active
View all business entities under this registered agent (RACorps.aspx?fsnain=uAY%252bgVnR5HPYpdVHneo5XQ%253d%253d&RAName=UNITED+CORPORATE+SERVICES%2c+INC.)			

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 50.00
Par Share Count:	5,000.00	Par Share Value:	\$ 0.01

<input type="checkbox"/> Officers	<input type="checkbox"/> Include Inactive Officers
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# **ATTACHMENT 7**

January 08, 2016 6:39 PM ET

## Company Overview of Angel Americas LLC

Snapshot

People

## Company Overview

As of July 19, 2013, Angel Americas LLC operates as a subsidiary of Angel Telecom Corp. Next Angel LLC is based in Miami, Florida. Angel Americas LLC operates as a subsidiary of Angel Telecom Corp.

100 North Biscayne  
Boulevard  
9th Floor  
Miami, FL 33132  
United States

Phone: 305-356-4559

## Key Executives For Angel Americas LLC

**Mr. Roland Josef Bopp**  
Chief Executive Officer

Compensation as of Fiscal Year 2015.

An 1/8/16 KAT called  
this phone number.  
An automated message  
answered and adv.  
advised the number  
was not in service.  
- Kirsten Taylor, DOJ  
1/8/16

## Similar Private Companies By Industry

Company Name	Region
Bel Transformer Inc.	United States
First Security Armored Car, Inc.	United States
Trumbull Memorial Hospital Women's Auxiliary	United States
Bh Procurement Services, LLC	United States
Protection Plus Security Corporation	United States

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Type	Target
Date	
No transactions available in the past 12 months.	

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